

#19 JC  
P 3/29/02  
RECEIVED  
MAY 24 2002  
TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

R. CHANEY et al.

Application Number: 09/437,607

Filed: November 10, 1999

For: RECOVERING METALS FROM SOIL



MAY 22 2002

Art Unit: 1638

Examiner: M. Ibrahim

Attorney Dkt. No.: 108172-00037

**PRELIMINARY AMENDMENT**

Commissioner for Patents  
Washington, D.C. 20231

Date: May 22, 2002

Sir:

Prior to initial examination of the above-identified patent application, please enter the following amendments without prejudice.

**IN THE CLAIMS:**

Please amend claims 1 and 10 as follows. Attached is a marked-up copy showing changes to the claims.

*C*  
*sub 7*  
(Amended). A method for selectively increasing the amount of at least one metal recovered from metal-containing soil comprising:

- (a) elevating the pH of the soil from an initial pH to a raised pH of at least 5.6; and  
(b) cultivating at least one metal-hyperaccumulator plant in the soil having the raised pH under conditions sufficient to permit said at least one plant to accumulate said at least one metal from the soil in above-ground tissue.